

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

STANLEY ROBINSON, *et al.*,

Plaintiffs,

-v-

THE CITY OF NEW YORK, *et al.*,

Defendants.

USDS SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: 5/5/10  
DATE FILED: 5/5/10

No. 10 Civ. 2857 (RJS)  
ORDER

RICHARD J. SULLIVAN, District Judge:

The Court is in receipt of a letter from Defendant City of New York, dated May 5, 2010, seeking a two month enlargement of time in which to answer or otherwise respond to Plaintiff's complaint. The City represents that its response is currently due tomorrow, May 6, 2010. The City proffers several reasons for this requested extension, including the need to obtain the records from the underling criminal matter. The City represents that it is "in the process of forwarding to plaintiffs for execution a medical release" as well as "in the process of forwarding the necessary consent authorizations to plaintiffs" to obtain the sealed criminal records. The City offers no explanation as to why it is still only "in the process of" providing routine forms to Plaintiffs on the day before its answer is due or why it has waited until this late date to request an extension. It has similarly proffered no reason for violating this Court's Individual Practice 1.D, which requires requests for extensions to be made forty-eight hours in advance.

It should also be noted that this case has been brought once before, *see Robinson v. City of New York*, No. 09 Civ. 761 (RMB), and in that case the City requested a similar extension, on the

day its answer was due, for the same reasons as it proffers now. *See Robinson*, No. 09 Civ. 761 (RMB) (S.D.N.Y. Feb. 25, 2009) (memo endorsed letter from the City of New York, dated February 25, 2009). In this iteration of the lawsuit, the City has apparently done no better in promptly responding to Plaintiff's complaint. Accordingly,

IT IS HEREBY ORDERED THAT Defendant City of New York's request for a 60-day enlargement of time to answer or otherwise respond is DENIED. The Court will, however, grant the City an extension of time until May 21, 2010 to respond to the Complaint. The parties shall submit a joint letter and proposed case management plan, as set forth in this Court's initial Order no later than June 4, 2010 and appear for an initial conference on June 11, 2010 at 10:00 a.m.

SO ORDERED.

DATED: May 5, 2010  
New York, New York



RICHARD J. SULLIVAN  
UNITED STATES DISTRICT JUDGE